

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (AT DAYTON)

PAYSOURCE, INC., <u>et al.</u>	:	CASE NO. 3:07CV0129
	:	
Plaintiffs,	:	(Judge Walter H. Rice)
	:	
v.	:	(Magistrate Judge Sharon L. Ovington)
	:	
MIRABILIS VENTURES, INC., <u>et al.</u>	:	
	:	
Defendants.	:	<b>MOTION OF FARUKI IRELAND &amp;</b>
	:	<b>COX P.L.L. TO WITHDRAW AS</b>
	:	<b><u>COUNSEL FOR FRANK A. AMODEO</u></b>

---

Pursuant to S.D. Ohio Civ. R. § 83.4(c), Charles J. Faruki, Martin A. Foos, and Faruki Ireland & Cox P.L.L. move for an order permitting them to withdraw as counsel for Frank A. Amodeo. Plaintiffs recently filed an amended complaint that did not name Mr. Amodeo as a Defendant. Accordingly, Mr. Amodeo is no longer a party to this action and will not be prejudiced by the withdrawal of his counsel. In addition, counsel request that they be removed from the automatic electronic service list for this case.

A proposed Order will be emailed to the Court pursuant to Section II. E. 2 of the S.D. Ohio Electronic Filing Policies and Procedures Manual.

Respectfully submitted,

s/ Charles J. Faruki

Charles J. Faruki (0010417)

Trial Attorney

Martin A. Foos (0065762)

FARUKI IRELAND & COX P.L.L.

500 Courthouse Plaza, S.W.

10 North Ludlow Street

Dayton, OH 45402

Telephone: (937) 227-3705

Telecopier: (937) 227-3717

Email: cfaruki@ficlaw.com

Attorneys for Frank A. Amodeo

**MEMORANDUM IN SUPPORT OF MOTION OF  
FARUKI IRELAND & COX P.L.L. TO WITHDRAW AS COUNSEL**

Pursuant to S.D. Ohio Civ. R. 83.4(c), Charles J. Faruki, Martin A. Foos, and Faruki Ireland & Cox P.L.L. move for an order permitting them to withdraw as counsel for Frank A. Amodeo.

Good cause exists to permit the withdrawal of counsel. Mr. Amodeo was named as a Defendant in this action in Plaintiffs' original complaint. However, on May 27, 2008, Plaintiffs filed an amended complaint that dropped Mr. Amodeo as a Defendant. Accordingly, Mr. Amodeo is no longer a party to this action and will not be prejudiced by the withdrawal of counsel. Mr. Amodeo has been served with a copy of this motion.

Therefore, this Motion of Faruki Ireland & Cox P.L.L. to Withdraw as Counsel for Plaintiff Frank A. Amodeo should be granted. In addition, counsel request that they be removed from the automatic electronic service list for this case.

Respectfully submitted,

s/ Charles J. Faruki

Charles J. Faruki (0010417)

Trial Attorney

Martin A. Foos (0065762)

FARUKI IRELAND & COX P.L.L.

500 Courthouse Plaza, S.W.

10 North Ludlow Street

Dayton, OH 45402

Telephone: (937) 227-3705

Telecopier: (937) 227-3717

Email: cfaruki@ficlaw.com

Attorneys for Frank A. Amodeo

**CERTIFICATE OF SERVICE**

I certify that on the 29th day of May, 2008, I electronically filed the foregoing Motion of Faruki Ireland & Cox P.L.L. to Withdraw as Counsel with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

David C. Greer  
Joseph C. Oehlers  
BIESER, GREER & LANDIS LLP  
400 National City Center  
6 N. Main Street  
Dayton, OH 45402

Scott K. Jones  
GRAYDON, HEAD & RITCHEY, LLP  
7759 University Dr., Suite H  
West Chester, OH 45069

Brian S. Sullivan  
Timothy S. Mangan  
Seth A. Schwartz  
DINSMORE & SHOHL  
1900 Chemed Center  
255 East Fifth St.  
Cincinnati, OH 45202

I hereby certify that on May 29, 2008, I sent the foregoing Motion to the following non-CM/ECF participants by electronic mail or first class U.S. mail, as indicated:

Frank A. Amodeo (Via Electronic Mail)

Avant Services, Inc. (Via First Class U.S. Mail)  
156 Shinnecock Hill  
Avondale, PA 19311

s/ Martin A. Foos  
Martin A. Foos

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (AT DAYTON)

PAYSOURCE, INC., <u>et al.</u>	:	CASE NO. 3:07CV0129
	:	
Plaintiffs,	:	(Judge Walter H. Rice)
	:	
v.	:	(Magistrate Judge Sharon L. Ovington)
	:	
MIRABILIS VENTURES, INC., <u>et al.</u>	:	
	:	
Defendants.	:	<b>[PROPOSED] ORDER GRANTING</b>
	:	<b>MOTION OF FARUKI IRELAND &amp;</b>
	:	<b>COX P.L.L. TO WITHDRAW AS</b>
	:	<b><u>COUNSEL FOR FRANK A. AMODEO</u></b>

---

For good cause shown, the Motion of Faruki Ireland & Cox P.L.L. to Withdraw as Counsel for Frank A. Amodeo is GRANTED. The Clerk shall remove attorneys Charles J. Faruki and Martin A. Foos from the electronic CM/ECF service list for this case.

IT IS SO ORDERED

---

UNITED STATES DISTRICT JUDGE